



DOCKET NO.: 2003-2441/DM-6919 CNT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Poh K. Hui, et al.

Confirmation No.: 1625

Application No.: 10/667,931

Group Art Unit: 1616

Filing Date: September 22, 2003

Examiner: Not Yet Assigned

For: PREPARATION OF A LIPID BLEND AND A PHOSPHOLIPID SUSPENSION
CONTAINING THE LIPID BLEND

DATE OF DEPOSIT:

June 28, 2004

I HEREBY CERTIFY THAT THIS PAPER IS BEING
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Elizabeth A. McLoud

TYPED NAME: Elizabeth A. McLoud

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached;

or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

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- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith
- ☐ Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☐ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No.

, filed

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-

3050. This form is submitted in duplicate.

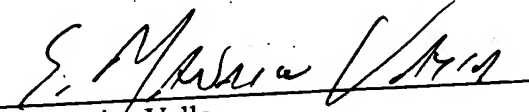
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- ☐ The relevance of those listed references which are not in the English language is as follows:
- ☒ There are no listed references which are not in the English language.

Date:

6/28/04


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Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office		Docket No. BMS-2441/ DM-6919 CNT	Application No. 10/667,931
		Applicant Poh K. Hui, et al.	
		Filing Date September 22, 2003	Group 1616
		Confirmation No. 1625	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	37	Deamer, D.W., "Preparation of solvent vaporization liposomes," <i>Liposome Techn.</i> , 1984, Vol. 1, Chap. 3, 29-35	
	38	Maruyama, K., et al., "Prolonged circulation time in vivo of large unilamellar liposomes composed of distearoyl phosphatidylcholine and cholesterol containing amphipathic poly(ethylene glycol)," <i>Biochimica et Biophysica Acta</i> , 1992, 1128, 44-49	
	39	Wolf, et al., "The effect of lysophosphatidylcholine on coronary and renal circulation in the rabbit," <i>Lipids</i> , 1991, 26(3), 223-226 (abstract 1 page)	
	40	Yu, S.-H., et al., "Effect of pulmonary surfactant protein B (SP-B) and calcium on phospholipids adsorption and squeeze-out of phosphatidylglycerol from binary phospholipids monolayers containing dipalmitoylphosphatidylcholine," <i>Biochimica et Biophysica Acta</i> , 1992, 1126, 26-34	
EXAMINER		DATE CONSIDERED	

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U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
	41	4,863,740	09/05/89	Kissel, et al.	424	450
	42	5,580,575	12/03/96	Unger, et al.	424	450
	43	5,656,211	08/12/97	Unger, et al.	264	4.1
	44	5,705,187	01/06/98	Unger	424	450
	45	5,715,824	02/10/98	Unger, et al.	128	662.02
	46	5,733,572	03/31/98	Unger, et al.	424	450
	47	5,773,024	06/30/98	Unger, et al.	424	450
	48	5,776,429	07/07/98	Unger, et al.	424	9.52
	49	5,853,752	12/29/98	Unger, et al.	424	450
	50	5,922,304	07/13/99	Unger	424	9.3
	51	6,028,066	02/22/00	Unger	514	180
	52	6,033,645	03/07/00	Unger, et al.	424	9.5
	53	6,039,557	03/21/00	Unger, et al.	425	429
	54	6,071,494	06/06/00	Unger	424	9.4
	55	6,071,495	06/06/00	Unger, et al.	424	9.51
EXAMINER				DATE CONSIDERED		

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U. S. PATENT DOCUMENTS							
Examiner Initial		Document No.	Date	Name	Class	Subclass	
	56	6,086,573	07/11/00	Siegel, et al.	604	507	
	57	6,088,613	07/11/00	Unger	600	420	
	58	6,090,800	07/18/00	Unger, et al.	514	180	
	59	6,117,414	09/12/00	Unger	424	9.4	
	60	6,123,923	09/26/00	Unger, et al.	424	9.52	
	61	6,139,819	10/31/00	Unger, et al.	424	9.52	
	62	6,143,276	11/07/00	Unger	424	9.3	
	63	6,146,657	11/14/00	Unger, et al.	424	450	
	64	6,231,834 B1	05/15/01	Unger, et al.	424	9.51	
	65	6,315,981 B1	11/13/01	Unger	424	9.323	
	66	6,416,740 B1	07/09/02	Unger	424	9.52	
	67	6,443,898 B1	09/03/02	Unger, et al.	600	458	
	68	6,444,660 B1	09/03/02	Unger, et al.	514	180	
	69	6,461,586 B1	10/08/02	Unger	424	9.32	
	70	6,521,211 B1	02/18/03	Unger, et al.	424	9.52	
	71	6,528,039 B2	03/04/03	Unger	424	9.4	
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	72	6,537,246 B1	03/25/03	Unger, et al.	604	82
	73	6,548,047 B1	04/15/03	Unger	424	9.51
	74	6,551,576 B1	04/22/03	Unger, et al.	424	9.52
	75	6,576,220 B2	06/10/03	Unger	424	9.32
	76	6,635,017 B1	10/21/03	Moehring, et al.	600	439
	77	6,680,047 B2	01/20/04	Klaveness, et al.	424	9.52
	78	6,682,502 B2	01/27/04	Bond, et al.	604	22
	79	6,716,412 B2	04/06/04	Unger	424	9.52

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	80	WO 97/00638	01/09/97	PCT		
	81	WO 97/48337	12/24/97	PCT		
	82	WO 98/09600	03/12/98	PCT		
	83	WO 98/10798	03/19/98	PCT		
	84	WO 98/17324	04/30/98	PCT		

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Examiner Initial		Document No.	Date	Country	Translation		
					YES	NO	
	85	WO 98/18495	05/07/98	PCT			
	86	WO 98/18498	05/07/98	PCT			
	87	WO 98/18500	05/07/98	PCT			
	88	WO 98/42384	10/01/98	PCT			
	89	WO 98/50040	11/12/98	PCT			
	90	WO 98/50041	11/12/98	PCT			
	91	WO 99/08714	02/25/99	PCT			
	92	WO 99/30620	06/24/99	PCT			
EXAMINER				DATE CONSIDERED			